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| 8 | UNITED STA | TES DISTRICT COURT | |
| 9 | EASTERN DISTRICT OF CALIFORNIA | | |
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| 11 | SADIA SYED, et al., |) Case No.: 1:21-cv-1442 DAD JLT | |
| 12 | Plaintiffs, | ORDER TO THE PLAINTIFF TO SHOW CAUSE | |
| 13 | v. |) WHY SANCTIONS SHOULD NOT BE IMPOSED) FOR FAILURE TO PROSECUTE THIS ACTION | |
| 14 | JAMIE LYNN MCGOWEN, et al., |) AND COMPLY WITH THE COURT'S ORDERS; | |
| 15 | Defendans. | ORDER CONTINUING THE SCHEDULING CONFERENCE | |
| 16 | | <u>_</u> / | |
| 17 | The plaintiff initiated this action on September 28, 2021. (Doc. 1) The Clerk of Court issued the | | |
| 18 | summons and the order setting the mandatory scheduling conference the same day (Docs. 2, 3) The | | |
| 19 | order setting the mandatory scheduling confer | rence reads, | |
| 20 | The Court is unable to conduct a scheduling conference until defendants have been served with the summons and complaint. Accordingly, plaintiff(s) shall diligently | | |
| 21 | pursue service of summons and complaint and dismiss those defendants against whom plaintiff(s) will not pursue claims. Plaintiff(s) shall promptly file proofs of service of | | |
| 22 | the summons and complaint so the Co | ourt has a record of service. Counsel are referred quirement of timely service of the complaint | |
| 23 | Failure to timely serve the summons a sanctions, including the dismissal of u | and complaint may result in the imposition of inserved defendants. | |
| 24 | | | |
| 25 | (Doc. 3 at 1) The plaintiff has not filed a proof of service, and neither defendant has appeared. | | |
| 26 | Therefore, the Court ORDERS : | | |
| 27 | 1. No later than December 17, 2021, the plaintiff SHALL show cause why sanctions | | |
| 28 | should not be imposed for the failure to prose | cute this action and to serve the summons and complaint | |
| | 1 | | |

Case 1:21-cv-01442-DAD-JLT Document 6 Filed 12/06/21 Page 2 of 2

the

| 1 | in a timely fashion as ordered. Alternatively, the plaintiff may file a proof of service demonstrating | |
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| 2 | summons and complaint has been served | |
| 3 | 2. The scheduling conference is CONTINUED to February 11, 2022 at 8:30 a.m. | |
| 4 | Failure to respond may result in the Court recommending dismissal of the action. | |
| 5 | | |
| 6 | IT IS SO ORDERED. | |
| 7 | Dated: December 4, 2021 | |
| 8 | CHIEF UNITED STATES MAGISTRATE JUDGE | |
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